

3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEPATENT
RECEIVED
CENTRAL FAX CENTER

Applicant: Ken Endelman Examiner: Lori Baker Amerson MAR 07 2006
Serial No. 10/804,256 Group Art Unit: 3764
Filed: March 18, 2004 Docket No. 75886.011806
Title: REFORMER EXERCISE APPARATUS HAVING A TRAPEZE BAR
Customer No.: 33717

CERTIFICATE UNDER 37 CFR 1.6(d)

I hereby certify that this correspondence and identified enclosures are being transmitted via facsimile only to Examiner Lori Baker Amerson, Art Unit 3764, Facsimile No. (571) 273-8300 on March 7, 2006.

Shaula Stephenson
Name: Shaula Stephenson

TERMINAL DISCLAIMER

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

The owner, Balanced Body, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior United States Patent Number 6,971,976, as such term is defined in 35 U.S.C. 154 and 173 and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and this prior patent is commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of the prior patent is presently shortened by any terminal disclaimer in the event that said prior patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of

Serial No. 10/804,256

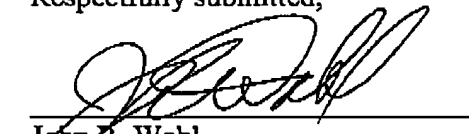
PATENT
Docket No. 75886.011806

competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.”

The Commissioner is hereby authorized to charge the \$65.00 statutory disclaimer fee under 37 CFR 1.20(d) and any additional fees in connection with the submission of this paper, now or in the future, or credit any overpayment to Account No. 50-2638. Please ensure that the Attorney Docket Number 75886.011806 is referenced when charging any payments or credits in connection with this application.

The undersigned is an attorney or agent of record.

Respectfully submitted,



John R. Wahl
Reg. No. 33,044

Date: March 7, 2006

Customer Number 33717
GREENBERG TRAURIG, LLP
2450 Colorado Avenue, Suite 400E
Santa Monica, CA 90404
Phone: (310) 586-6541
Fax: (310) 586-0541
e-mail: wahlj@gtlaw.com

LA-FS1\392312\01\75886.011806